



✓ 2173

PATENT
Attorney Docket N° 98-0865 (P1397US00)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of : Kim C. Smith
Serial N° : 09/421,580
Filed : October 20, 1999
Group Art Unit : 2173
Examiner : Mylinh T. Tran
For : SIMULATED THREE-DIMENSIONAL NAVIGATIONAL MENU
SYSTEM

Assistant Commissioner for Patents
Washington, D. C. 20231

AMENDMENT TRANSMITTAL

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8)

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I hereby certify that, on the date shown below, this correspondence is being:

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[] transmitted by facsimile to the Patent and Trademark Office.

ReNea D. Berggren
ReNea D. Berggren

DATED: February 12, 2003

AMENDMENT TRANSMITTAL

Please find transmitted herewith:

1. Amendment and Response to the Office Action dated January 2, 2003.
2. A duplicate copy of this transmittal, transmitted for accounting purposes only.

FEE FOR EXCESS CLAIMS

The fee for claims (37 C.F.R. § 1.16 (b)-(d) has been calculated as shown below:

Independent claims in excess of 3 added: 0 X \$84.00 = \$0.00
Total number of claims in excess of 20 added: 24 X \$18.00 = \$432.00
The total additional fee for claims required is : \$432.00

FEE PAYMENT

The Commissioner is authorized to charge Deposit Account N° 50-0439 for the amount of \$432.00. While it is believed that no additional extension of time or any other additional fees are necessary, the Commissioner is hereby authorized to grant any needed extension of time and to charge any additional fees which may be required for this Response, or credit any overpayment to Deposit Account N° 50-0439. A copy of this transmittal is enclosed for accounting purposes.

Please direct all correspondence to:



MARK WALKER, ESQ.
GATEWAY, INC.
MS SD-21
14303 GATEWAY PLACE
POWAY, CA 92064
(858) 848-3449 TELEPHONE
(858) 848-2671 FACSIMILE

DATE: February 12, 2003.

Respectfully Submitted,
Gateway, Inc.,

By: Walter J. Malinowski
Walter J. Malinowski
Reg. N° 43,423

ATTACHMENTS:

1. *Response to Office Action dated January 2, 2003.*
2. *Copy of this Amendment Transmittal for accounting purposes.*
3. *Return postcards.*



Docket No. P1397US00 (98-0865)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#13/A
2-26-03

In Re Application Of : KIM C. SMITH
 Serial No. : 09/421,580
 Filed : October 20, 1999
 Art Unit : 2173
 Examiner : Mylinh T. Tran
 Title : *SIMULATED THREE-DIMENSIONAL NAVIGATIONAL
 MENU SYSTEM*

Assistant Commissioner For Patents
 Washington, DC 20231

RESPONSE TO OFFICE ACTION DATED JANUARY 02, 2003

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8)

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 Amendment, Assistant Commissioner
 for Patents, Washington, DC 20231.

☐ transmitted by facsimile to
 the Patent and Trademark
 Office.

ReNea D. Berggren
 ReNea D. Berggren

DATED: February 12, 2003

Dear Sir:

This is in response to the Office Action dated January 02, 2003, for which the
 three-month shortened statutory period expires on April 02, 2003. While Applicant
 believes that no extension of time fee for response is necessary and that the extra claims
 fee for 24 additional claims is \$ 432, should the Office determine that any additional fees

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are necessary for this response, the Commissioner is hereby authorized to charge any deficiencies to Deposit Account No. 50-0439.

AMENDMENT

Please amend Claims 1, 14, 27, and 40 as follows:

A1

1. (Amended) A user interface comprising:
a display;
a cursor capable of being displayed on said display;
a cursor control device capable of controlling said cursor's position and movement on said display;
at least two selectable targets displayed on at least a portion of said display; and
all of said at least two selectable targets displayed on said at least a portion of said display capable of being simultaneously displayed in a simulated rotation about an axis while each one of said all of said at least two selectable targets displayed on said at least a portion of said display remains continuously selectable during said simulated rotation.

A2

14. (Amended) A system comprising:
at least one processor;
memory operably associated with said processor; and
a user interface, said user interface comprising
a display;
a cursor capable of being displayed on said display;
a cursor control device capable of controlling said cursor's position and movement on said display;
at least two selectable targets displayed on at least a portion of said display; and
all of said at least two selectable targets displayed on said at least a portion of said display capable of being simultaneously displayed in a simulated rotation about an axis while each one of said all of said at least two selectable targets displayed on said at least a portion of said display remains continuously selectable during said simulated rotation.